

12/16/19

CASE NO. 19-CR-759

MOTION TO DISMISS
ON GROUNDS OF:

- 1) 70 DAY SPEEDY TRIAL VIOLATION (STA) -
TITLE 18 SECTION 3161(C) AND SECTION 3162(A)(2)
- 2) FAILURE TO CHARGE DEFENDANT BY WAY OF INDICTMENT
OR INFORMATION WITHIN 30 DAYS OF ARREST -
TITLE 18 SECTION 3161(B) AND SECTION 3162(A)(1)
- 3) DEFENDANT HAS NOT SEEN OR HAD A COPY OF THE
INDICTMENT OR INFORMATION -
RULE 10(A)(1); RULES OF CRIMINAL PROCEDURE
RULE 7(C)(1) IN GENERAL, THE INDICTMENT OR INFORMATION MUST
BE A PLAIN, CONCISE, AND DEFINITE WRITTEN STATEMENT OF THE
ESSENTIAL FACTS CONSTITUTING THE OFFENSE CHARGED AND "MUST
BE SIGNED BY AN ATTORNEY FOR THE GOVERNMENT."
RULE 12(3)(A)(ii) PREINDICTMENT DELAY; (iii) A VIOLATION OF THE
CONSTITUTIONAL RIGHT TO A SPEEDY TRIAL;
- 4) FAILURE TO CHARGE AN OFFENSE - RULE 48(B)(1), (2), AND (3)
- 5) EVIDENCE IS INSUFFICIENT TO SUSTAIN A CONVICTION -
RULE 29(A). MOTION FOR A JUDGEMENT OF ACQUITTAL
- 6) RULE 52(B) PLAIN ERROR
- 7) FALSE EVIDENCE/TESTIMONY

MOTION TO COMPEL EVIDENCE

- 1) ALL VIDEOS
- 2) COMPLAINT
- 3) SIGNED INDICTMENT OR INFORMATION BY AN ATTORNEY FOR THE GOVERNMENT (AUSA).
- 4) ALL AUDIO RECORDINGS
- 5) ALL CHICAGO POLICE REPORTS
- 6) ALL INCIDENT REPORTS
- 7) ALL VICTIMS/WITNESSES STATEMENTS
- 8) DOCUMENTS AUTHORIZING DEPORTATION
- 9) COPY OF TRAVEL DOCUMENTS
- 10) ANY AND EXCULPATORY EVIDENCE

RESPECTFULLY,

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